

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
530 Virginia Road, P.O. Box 9133
Concord, MA 01742-9133

RECEIVED
CENTRAL FAX CENTER

NOV 28 2005

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

CENTRAL LOCATION

FACSIMILE COVER SHEET

Examiner: ATTN: Robert B. Mondesi **Group:** 1653

Date: November 28, 2005

Client Code: 3033

Facsimile No.: 571-273-8300

From: Steven G. Davis

Subject: Paper: Supplemental Information Disclosure Statement

Docket No.: 3033.1008-008

Applicants: Darrell H. Carney

Serial No.: 10/766,752

Filing Date: January 27, 2004

Number of pages including this cover sheet: 6

Please confirm receipt of facsimile: Yes ___ No ___

Comments: Attached: 1) Remarks (1 pg.)
2) Supplemental Information Disclosure Statement (3 pgs.)
3) PTO-1449 Form (1 pg)

Privileged and Confidential - All information transmitted hereby is intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any distribution or copying of this communication is strictly prohibited. Anyone who received this communication in error is asked to notify us immediately by telephone and to destroy the original message or return it to us at the above address via first class mail.

@PFDesktop\...ODMA\MI\ODMA\HBSR05,iManage.589147;1
SGD/CAE/bmw
September 19, 2005

PATENT APPLICATION
Attorney's Docket No. 3033 1008-U08

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

NOV 28 2005

Applicant: Darrell H. Carney

Application No.: 10/766,752

Group: 1653

Filed: January 27, 2004

Examiner: Robert B. Mondesi

Confirmation No.: 2963

For: USE OF THROMBIN-DERIVED PEPTIDES FOR THE THERAPY OF
CHRONIC DERMAL ULCERS

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| CERTIFICATE OF MAILING OR TRANSMISSION | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on: | |
| 11/28/05 | <i>Sandra Brigham</i> |
| Date | Signature |
| <i>Sandra Brigham</i> | |
| Typed or printed name of person signing certificate | |

REMARKS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants would like to bring to the Examiner's attention that the experiments reported in the Exemplification section of the subject application were begun in about November, 1998.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By *SGD*

Steven G. Davis

Registration No. 39,652

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: *November 28 2005*

@PFDesktop\ODMA\MHODMA\HBSR05,Image,589312;1
SGD/sdb
November 28, 2005

NOV 28 2005

PATENT APPLICATION
DOCKET NO. 3033.1008-008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Darrell H. Carney

Application No.: 10/766,752

Group: 1653

Filed: January 27, 2004

Examiner: Robert B. Mondesi

Confirmation No.: 2963

For: USE OF THROMBIN-DERIVED PEPTIDES FOR THE THERAPY OF
CHRONIC DERMAL ULCERS

| CERTIFICATE OF MAILING OR TRANSMISSION | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on | |
| 11/28/05 | <i>Sandra Brigham</i> |
| Date | Signature |
| <i>Sandra Brigham</i> | |
| Typed or printed name of person signing certificate | |

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)

☐ under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application, or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination)

☒ under 37 CFR 1.97(c) together with either:
☐ a Statement under 37 CFR 1.97(e), as checked below, or
☒ a \$180.00 fee under 37 CFR 1.17(p), or
 (After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:
☐ a Statement under 37 CFR 1.97(e), as checked below, and
☐ a \$180.00 fee under 37 CFR 1.17(p), or
 (Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):
 Applicant requests that the IDS and cited reference(s) be placed in the application file.
 (Filed after payment of issue fee)

-2-

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
 - ☐ Copies of the cited references are enclosed.
 - ☐ Copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
 - ☐ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
 - ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
 - ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
 - ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
 - ☐ the enclosed English language abstract.
- ☒ Copy of the cited Remarks document is enclosed.

-3-

☐ Applicant requests that the following non-published pending applications be considered:

Examiner's
Initials

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed, except any application filed on or after June 30, 2003, which has been scanned into the PTO's Image File Wrapper (IFW) system and is available to the examiner.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☒ Please charge Deposit Account 08-0380 in the amount of \$180.00.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 

Steven G. Davis, Esq.
Registration No.: 39,652
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: *November 28 2005*

| | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|------------------------------|---------------------------------|
| PTO-1449 REPRODUCED SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION November 28, 2005 (Use several sheets if necessary) | ATTORNEY DOCKET NO. 3033.1008-008 | APPLICATION NO 10/766,752 | |
| | FIRST NAMED INVENTOR Darrell H. Carney | | FILING DATE January 27, 2004 |
| | EXAMINER Robert B. Mondesi | CONFIRMATION NO 2963 | GROUP 1653 |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | | |
|------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|--|
| C1 | Remarks paper by Steven G. Davis, Esq., Hamilton, Brook, Smith & Reynolds, P.C., dated November 28, 2005. | |
| C2 | | |
| C3 | | |
| C4 | | |
| C5 | | |
| C6 | | |
| C7 | | |
| C8 | | |
| C9 | | |
| C10 | | |
| C11 | | |
| C12 | | |
| C13 | | |
| C14 | | |
| C15 | | |
| C16 | | |
| C17 | | |

| | |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|